

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

618B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 22, 2010

SUBJECT: Alcoholic Beverage Control License
Determination of Public Convenience and Necessity (PNC-63) for "Idyll A While Wine Shop and Bistro" wine shop, easterly of Village Center Drive, southerly of SH-273, and westerly of Cedar Street, Riverside County Assessor's Parcel No. 563-292-015.

RECOMMENDED MOTION: That the Board of Supervisors, based on the findings below, make a determination of Public Convenience and Necessity so that another Alcoholic Beverage license be issued to allow the sale of beer and wine for consumption on or off the premises where sold, where food service is not required (Type-42), may be issued.

BACKGROUND: In accordance with Government Code 23958.4 the State of California

Jerry Jolliffe, Deputy Planning Director for,

Jerry Jolliffe

Ron Goldman
Planning Director

Initials:
RG:xc
RG

(Continued on attached pages)

| | | | | |
|-----------------------|-------------------------------|------|-------------------------|-----|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ 0 | In Current Year Budget: | N/A |
| | Current F.Y. Net County Cost: | \$ 0 | Budget Adjustment: | N/A |
| | Annual Net County Cost: | \$ 0 | For Fiscal Year: | N/A |

| | | |
|-------------------------|----------------------------------|--------------------------|
| SOURCE OF FUNDS: | Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
| | Requires 4/5 Vote | <input type="checkbox"/> |

C.E.O. RECOMMENDATION:

APPROVE

BY: *Tina Grande*

Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: May 4, 2010
xc: Planning

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*

Deputy

Prev. Agn. Ref. | **District:** Third | **Agenda Number:**

3.71

Departmental Concurrence

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

Policy
 Policy
 Consent
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

Department of Alcoholic Beverage Control (ABC) may deny an application for an ABC license if there is an "undue concentration of licenses." An "undue concentration" exists if it is deemed to be in a census tract where the ratio of on-sale or off-sale retail ABC licenses to population exceeds the ratio of on-sale or off-sale retail ABC licenses to population in the county in which the applicant premises are located. A license may still be issued, however, if the local agency determines that the public use and necessity would be served by issuance of the license. The statute provides no definition or standard for determining "public necessity & convenience." The Alcoholic Beverage Control Board has determined that an "undue concentration" exists for the Census Tract in which the applicant's establishment is located. A "public convenience and necessity" determination is required to establish an ABC license for "Idyll A While" wine shop, easterly of Village Center Drive, southerly of SH-273, and westerly of Cedar Street, Riverside County Assessor's Parcel No. 563-292-015, in the Third Supervisorial District, may be issued. The State Department of Alcoholic Beverage Control is allowing the applicant to obtain a determination of "public convenience and necessity" from the County of Riverside prior to granting the license pursuant to Government Code Section 23958.4.8.

FINDINGS:

1. The project site is designated Community Development: Commercial Retail (CD:CR) on the Riverside Extended Mountain Area Plan.
2. The proposed use, a wine shop with concurrent sales of beer and wine for consumption on or off the premises where sold, where food service is not required (Type-42), is permitted use in the Community Development: Commercial Retail (CD:CR) designation.
3. The zoning classification for the subject site is Scenic Highway Commercial (C-P-S).
4. The proposed use a wine shop with concurrent sales of beer and wine for consumption on or off the premises where sold, where food service is not required (Type-42), is a permitted use subject to approval of a Plot Plan, in the Scenic Highway Commercial (C-P-S).
5. The issuance of a new ABC license on the property will not require additional Planning Department approvals because an approved Plot Plan (PP09567, Revised Permit No. 1) was granted on September 25, 2001 which included the sale of alcoholic beverages for off-premises consumption. Maintenance of an ABC license for any business on the subject parcel is required by Condition of Approval 10.PLANNING.21.
6. A radius map buffering 1,000 linear feet from the subject site was prepared by Riverside County Geographic Information Systems and concluded that no public elementary school or secondary school district is within 1,000 linear feet of the site.
7. A radius map buffering 1,000 linear feet from the subject site was prepared by Riverside County Geographic Information Systems and concluded that one (1) public park (Mt. San Jacinto State Park) and no playgrounds are within 1,000 linear feet of the site.
8. The "Idyll A While" wine shop is requesting a Type-42 license to allow for the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may

be on the premises. Minors are not allowed to enter and remain. Food service is not required.

9. The "Idyll A While" wine shop is primarily engaged in the sale and tasting of beer and wine in conjunction with food items and gifts.
10. The project is not situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park or playground.
11. No displays of beer, wine or other alcoholic beverages shall be located on the exterior of the building or within window areas.
12. The State Department of Alcoholic Beverage Control is requesting that the Riverside County Board of Supervisors grant a determination of "public necessity and convenience" for the new license.
13. Currently four (4) alcohol and beverage control (ABC) licenses are allowed in Census Tract 0444.01; however twenty (20) licenses have been issued. Approval of Public Convenience and Necessity No. 63 would increase the number of active ABC licenses from thirteen (13) to fourteen (14).

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

618B

DATE: April 22, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: Alcoholic Beverage Control License
Determination of Public Convenience and Necessity (PNC-63)

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Place on Administrative Action <small>(Receive & File; EOT)</small> | <input type="checkbox"/> Set for Hearing <small>(Legislative Action Required; CZ, GPA, SP, SPA)</small> |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | **SELECT Advertisement** |
| <input type="checkbox"/> Place on Consent Calendar | <input type="checkbox"/> **SELECT CEQA Determination** |
| <input checked="" type="checkbox"/> Place on Policy Calendar <small>(Resolutions; Ordinances; PNC)</small> | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding <small>(GPIP)</small> | <input type="checkbox"/> Notify Property Owners <small>(app/agencies/property owner labels provided)</small> |
| | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |

Designate Newspaper used by Planning Department for Notice of Hearing: NONE

Please schedule on the May 4, 2010 BOS Agenda

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

Ron Goldman
4/22/10

01-05-10
09:12 AM

CENSUS TRACT INFORMATION BY CENSUS TRACT NUMBER
where county is 33-RIVERSIDE and census tract is 0444.01

TOTAL: 25

| COUNTY | Census Tract | DO | License Num | On Sale Active | On Sale Pend | Off Sale Active | Off Sale Pend |
|--------|--------------|----|-------------|----------------|--------------|-----------------|---------------|
| 33 | 0444.01 | 08 | 2047 | Y | N | N | N |
| 33 | 0444.01 | 08 | 54923 | Y | N | N | N |
| 33 | 0444.01 | 08 | 121390 | N | N | Y | N |
| 33 | 0444.01 | 08 | 223017 | Y | N | N | N |
| 33 | 0444.01 | 08 | 375883 | N | N | Y | N |
| 33 | 0444.01 | 08 | 396907 | Y | N | N | N |
| 33 | 0444.01 | 08 | 397330 | Y | N | N | N |
| 33 | 0444.01 | 08 | 398783 | Y | N | N | N |
| 33 | 0444.01 | 08 | 404855 | Y | N | N | N |
| 33 | 0444.01 | 08 | 411621 | Y | N | N | N |
| 33 | 0444.01 | 08 | 413420 | N | N | Y | N |
| 33 | 0444.01 | 08 | 425722 | N | N | Y | N |
| 33 | 0444.01 | 08 | 425775 | Y | N | N | N |
| 33 | 0444.01 | 08 | 436739 | Y | N | N | N |
| 33 | 0444.01 | 08 | 448663 | Y | N | N | N |
| 33 | 0444.01 | 08 | 448699 | Y | N | N | N |
| 33 | 0444.01 | 08 | 454010 | Y | N | N | N |
| 33 | 0444.01 | 08 | 463107 | Y | N | N | N |
| 33 | 0444.01 | 08 | 465595 | Y | N | N | N |
| 33 | 0444.01 | 08 | 467847 | Y | N | Y | N |
| 33 | 0444.01 | 08 | 476954 | Y | N | N | N |
| 33 | 0444.01 | 08 | 480628 | Y | N | N | N |
| 33 | 0444.01 | 08 | 481933 | Y | N | N | N |
| 33 | 0444.01 | 08 | 484414 | Y | N | N | N |
| 33 | 0444.01 | 08 | 484543 | N | Y | N | N |
| Totals | | | | 20 | 1 | 5 | 0 |



**California Department of Alcoholic Beverage
Control
For the County of RIVERSIDE - (On-Sale Licenses)
and Census Tract = 0444.01**

Report as of 3/25/2010

| | License Number | Status | License Type | Orig. Iss. Date | Expir Date | Primary Owner and Premises Addr. | Business Name | Mailing Address | Geo Code |
|----|----------------|--------|--------------|-----------------|------------|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------|----------|
| 1) | <u>2047</u> | ACT | 52 | | 7/31/2010 | AMERICAN LEGION IDYLLWILD POST 800 54360 MARION VIEW DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | AMERICAN LEGION IDYLLWILD POST 800 | PO BOX 800 IDYLLWILD, CA 92549 | 3300 |
| 2) | <u>2047</u> | ACT | 58 | | 7/31/2010 | AMERICAN LEGION IDYLLWILD POST 800 54360 MARION VIEW DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | AMERICAN LEGION IDYLLWILD POST 800 | PO BOX 800 IDYLLWILD, CA 92549 | 3300 |
| 3) | <u>54923</u> | ACT | 47 | 1/8/1980 | 3/31/2010 | MOUNTAIN RESTAURANTS THE 54381 RIDGEVIEW DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | GASTROGNOME | PO BOX 69 IDYLLWILD, CA 92549 | 3300 |
| 4) | <u>54923</u> | ACT | 58 | 11/2/2000 | 3/31/2010 | MOUNTAIN RESTAURANTS THE 54381 RIDGEVIEW DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | GASTROGNOME | PO BOX 69 IDYLLWILD, CA 92549 | 3300 |
| 5) | <u>223017</u> | ACT | 41 | 10/21/1988 | 7/31/2010 | YE ZHI QI 25840 CEDAR ST IDYLLWILD, CA 92549 Census Tract: 0444.01 | HIDDEN VILLAGE | PO BOX 3696 IDYLLWILD, CA 92549 | 3300 |

| | | | | | | | | | |
|-----|---------------|------|----|------------|------------|------------------------------------------------------------------------------------------------------------------|---------------------------------|---------------------------------------|------|
| 6) | <u>396907</u> | ACT | 41 | 4/7/2003 | 3/31/2010 | BATZAKIDOU VASSILIKI 54200 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | GREEK PLACE THE | PO BOX 1162 IDYLLWILD, CA 92549 | 3300 |
| 7) | <u>397330</u> | ACT | 41 | 5/1/2003 | 4/30/2010 | HALKIN HUBERT 54750 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | CAFE AROMA | PO BOX 1295 IDYLLWILD, CA 92549 | 3300 |
| 8) | <u>398783</u> | ACT | 47 | 4/1/2003 | 11/30/2010 | HUIZAR JOSE LUIS 25980 HWY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01 | ARRIBA MEXICAN RESTAURANT | PO BOX 1288 IDYLLWILD, CA 92549 | 3300 |
| 9) | <u>398783</u> | ACT | 58 | 5/11/2004 | 11/30/2010 | HUIZAR JOSE LUIS 25980 HWY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01 | ARRIBA MEXICAN RESTAURANT | PO BOX 1288 IDYLLWILD, CA 92549 | 3300 |
| 10) | <u>404855</u> | ACT | 47 | 12/24/2003 | 11/30/2010 | CREEK HOUSE INC THE 54905 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | CREEK HOUSE THE | PO BOX 1680 IDYLLWILD, CA 92549 | 3300 |
| 11) | <u>411621</u> | ACT | 41 | 8/23/2004 | 7/31/2010 | DAHLEEN KENNA MARIE 54391 VILLAGE CENTER DR 2 IDYLLWILD, CA 92549 Census Tract: 0444.01 | IDYLLWILD PIZZA CO | PO BOX 1370 IDYLLWILD, CA 92549 | 3300 |
| 12) | <u>425775</u> | ISUS | 41 | 6/13/2005 | 5/31/2010 | FISKESETH CORPORATION 54710 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | BREAD BASKET | PO BOX 3260 IDYLLWILD, CA 92549 | 3300 |
| 13) | <u>436739</u> | ACT | 47 | 5/5/2006 | 4/30/2010 | LE JOANS INC 25875 VILLAGE | JO ANS | PO BOX 4067 IDYLLWILD, | 3300 |

| | | | | | | | | | |
|-----|--------|-----|----|-----------|-----------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------------------------------|------|
| | | | | | | CENTER DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | | CA 92549 | |
| 14) | 436739 | ACT | 58 | 2/4/2008 | 4/30/2010 | LE JOANS INC 25875 VILLAGE CENTER DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | JO ANS | PO BOX 4067 IDYLLWILD, CA 92549 | 3300 |
| 15) | 448663 | ACT | 41 | 3/7/2007 | 8/31/2010 | MANLEY MARY ROSE 26345 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01 | GOODTIMES PUB & GRILL | PO BOX 3172 IDYLLWILD, CA 92549 | 3300 |
| 16) | 448699 | ACT | 41 | 5/29/2007 | 4/30/2010 | RED KETTLE INC 54220 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | RED KETTLE | PO BOX 243 IDYLLWILD, CA 92549- 0243 | 3300 |
| 17) | 448699 | ACT | 58 | 2/22/2010 | 4/30/2010 | RED KETTLE INC 54220 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | RED KETTLE | PO BOX 243 IDYLLWILD, CA 92549- 0243 | 3300 |
| 18) | 454010 | ACT | 41 | 6/20/2007 | 5/31/2010 | RED KETTLE INC 25985 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01 | LUMBER MILL BAR & GRILL THE | PO BOX 243 IDYLLWILD, CA 92549- 0243 | 3300 |
| 19) | 463107 | ACT | 41 | 2/25/2008 | 1/31/2010 | BERNALWHITAKER ALICIA DELORES 54225 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | EL DIABLOS CAFE | PO BOX 3448 IDYLLWILD, CA 92549 | 3300 |
| 20) | 465595 | ACT | 47 | 8/15/2008 | 7/31/2010 | ARAMARK SPORTS & ENTERTAINMENT SERVICES LLC | SJ AERIAL TRAMWAY | 610 SMITHFIELD ST PITTSBURGH, | 3300 |

| | | | | | | | | | |
|-----|--------|-----|----|------------|------------|-------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------|------|
| | | | | | | SAN JACINTO AERIAL TRAMWAY MOUNTAIN STATION PALM SPRINGS, CA 92262 Census Tract: 0444.01 | | PA 15222- 2512 | |
| 21) | 467847 | ACT | 41 | 7/31/2008 | 6/30/2010 | LEVITT CORPORATION 26000 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01 | VILLAGE MARKET | PO BOX 1119 IDYLLWILD, CA 92549- 1119 | 3300 |
| 22) | 467847 | ACT | 77 | 5/1/2009 | 6/30/2010 | LEVITT CORPORATION 26000 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01 | VILLAGE MARKET | PO BOX 1119 IDYLLWILD, CA 92549- 1119 | 3300 |
| 23) | 476954 | ACT | 41 | 5/7/2009 | 4/30/2010 | BERNAL THOMASA CARMEN 54650 N CIRCLE DR IDYLLWILD, CA 92549 Census Tract: 0444.01 | LA CASITA MEXICAN RESTAURANT | PO BOX 1273 IDYLLWILD, CA 92549 | 3300 |
| 24) | 480628 | ACT | 41 | 8/24/2009 | 7/31/2010 | MOUNTAIN RESTAURANT LLC 26290 HIGHWAY 243 IDYLLWILD, CA 92549 Census Tract: 0444.01 | MOUNTAIN RESTAURANT LLC | PO BOX 623 IDYLLWILD, CA 92549- 0623 | 3300 |
| 25) | 481933 | ACT | 41 | 10/23/2009 | 9/30/2010 | MILEHIGH CAFE INC 26600 HIGHWAY 243 IDYLLWILD, CA 92549-3143 Census Tract: 0444.01 | MILEHIGH CAFE INC | PO BOX 3143 IDYLLWILD, CA 92549- 3143 | 3300 |
| 26) | 484414 | ACT | 41 | 12/30/2009 | 11/30/2010 | BERNAL JEANINE LEIGH 54225 N CIRCLE DR IDYLLWILD, CA 92549 | BONE DADDYZ BBQ BISTRO | PO BOX 4328 IDYLLWILD, CA 92549- 4328 | 3300 |

| | | | | | | | | | | | |
|--|--|--|--|--|--|--|--------------------------|--|--|--|--|
| | | | | | | | Census Tract: 0444.01 | | | | |
|--|--|--|--|--|--|--|--------------------------|--|--|--|--|

--- End of Report ---

For a definition of codes, view our [glossary](#).

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 3/29, 2010,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers HRO203 For

Company or Individual's Name Planning Department,

Distance buffered 600' 1000'.

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen







TITLE GIS Analyst

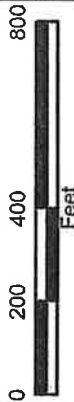
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

APN 563-292-015

-  School Sites
-  Highways
-  1000' Radius
-  Parcels
-  Study Boundary
-  Parks



March 29, 2010

Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside offers no warranty or guarantee as to the content (the source of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

Source : County of Riverside
 Author : Winnie Nguyen
 Agency/workspacenguyen/planning/bv563.mxd



**Mount San Jacinto State Park
PO Box 308
25905 Highway 243
Idyllwild, CA 92549**

PROPERTY OWNERS CERTIFICATION FORM

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NAME: Vinnie Nguyen







TITLE GIS Analyst

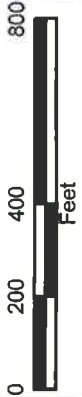
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

APN 563-292-01B

-  School Sites
-  Highways
-  1000' Radius
-  Parcels
-  Study Boundary
-  Parks



March 29, 2010

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Source : County of Riverside
 Author : Vanita Nguyen
 Agency/workspace/nyuyen/planning/bk4583.mxd

